

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*,

Debtors.

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Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

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**ORDER VACATING ORDER SUSTAINING RESCAP BORROWER CLAIMS TRUST'S  
OBJECTION TO CLAIM NUMBERS 2769 AND 2772 FILED BY  
ALVIN AND SANDRA LABOSTRIE**

The ResCap Borrower Claims Trust (the "Trust") filed an objection (the "Objection," ECF Doc. # 8459) to Claim Numbers 2769 (*see id.* Ex. 1) and 2772 (*see id.* Ex. 2) (Claim Numbers 2769 and 2772 together, the "Claims") filed by Alvin and Sandra LaBostrie (the "LaBostries" or "Claimants"). The Court held a hearing on the Objection on May 14, 2015 (the "Hearing") and took the Objection to the Claims under submission. The LaBostries did not file a response to the Objection or appear at the Hearing. On May 18, 2015, the Court entered an order sustaining the Trust's Objection to the Claims (the "Prior Order," ECF Doc. # 8625). Subsequently, on June 2, 2015, Alvin LaBostrie filed a declaration and accompanying motion indicating that he did not receive timely notice of the Objection because he was away from home during the pendency of the Objection undergoing medical treatment (the "Motion," ECF Doc. # 8795). Alvin LaBostrie requests, by way of his Motion, that the Court vacate its Prior Order and allow the LaBostries time to properly respond to the Trust's Objection. (*Id.* at 2.)

**NOW, THEREFORE,** it is hereby

**ORDERED,** that the Prior Order is vacated; and it is further

**ORDERED,** that the LaBostries shall file a response to the Objection no later than 5:00 p.m. (Prevailing Eastern Time) on July 29, 2015; and it is further

**ORDERED**, that the Trust may file a reply in support of its Objection, should it deem such a reply necessary, by no later than 5:00 p.m. (Prevailing Eastern Time) on August 4, 2015; and it is further

**ORDERED**, that a hearing on the Objection shall be conducted by this Court on August 6, 2015 at 10:00 a.m. (Prevailing Eastern Time); and it is further

**ORDERED**, that the Trust's counsel' must appear in person at the hearing, but that the LaBostries may appear at the hearing by telephone.

**IT IS SO ORDERED.**

Dated: July 8, 2015  
New York, New York

/s/Martin Glenn  
MARTIN GLENN  
United States Bankruptcy Judge